

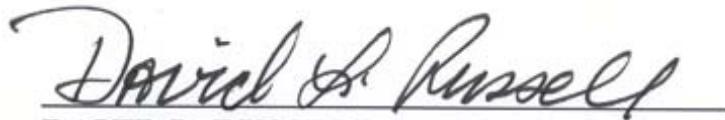
**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

BRIAN HARRIS,)
Petitioner,)
v.) Case No. CIV-11-947-R
ERIC FRANKLIN, Warden,)
Respondent.)

ORDER

Before the Court is the Report and Recommendation of United States Magistrate Judge Bana Roberts entered February 27, 2012. Doc. No. 12. No objection to the Report and Recommendation has been filed nor has an extension of time in which to object been sought or granted. Therefore, the Report and Recommendation of the Magistrate Judge is ADOPTED, Respondent's motion to dismiss [Doc. No. 10] is GRANTED and the Amended Petition¹ herein is DISMISSED as untimely.

IT IS SO ORDERED this 26th day of March, 2012.


DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE

¹Petitioner's Objection [Doc No. 6] to a prior Report and Recommendation has been construed as an "Amended Petition."